

***ADA Coordinator***

The Regional Administrative or Personnel or Affirmative Action Officer designated by a Regional Administrator to provide counsel to supervisors and appointing authorities in the region regarding the development and implementation of a reasonable accommodation. This coordination will be provided by the Office of Equal Opportunity (OEO) for Olympia Service Center divisions.

***Affirmative Action***

Those specific personnel steps (e.g., recruiting, hiring, upgrading) which are taken for the specific purpose of eliminating the present effects of past discrimination.

***Alternate Formats***

Alternate formats for print materials may include, but are not limited to, large print, Braille, audio tape cassette, computer disk, radio reading services, readers, interpreters, or other forms requested by people who are blind or vision impaired.

***Appointing Authority***

A person authorized in writing by proper authority to employ, promote, transfer, separate, reduce in force, and discipline other employees.

***Auxiliary Aid or Service***

Includes, for example, such services or devices as qualified interpreters, assistive listening headsets, written transcripts, television captioning and decoders, telecommunications devices for deaf persons (TDDs), video text displays, readers, taped texts, Brailled materials, and large print materials.

***Charged Party/Respondent/Accused***

The person or persons, unit or entity charged with discrimination in the Internal Discrimination Complaint.

***Charging Party/Complainant***

The person affected by the alleged discriminatory act(s) who initiates an Internal Discrimination Complaint.

***Equal Employment Opportunity***

The opportunity to obtain employment, promotions, and other benefits of employment without discrimination because of race, color, religion, sex, creed, marital status, sexual orientation, national origin, age, physical, sensory, emotional or mental disability, or status as a disabled or Vietnam-era veteran.

***Equal Opportunity***

A management philosophy designed to ensure all persons are free of discrimination (especially in employment) based on race, color, national origin, religion, age, disability, sex, sexual orientation, marital, or veteran status.

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## **Definitions**

### ***Equal Opportunity Committee***

A Committee charged with the responsibility of hearing reasonable accommodation appeals. The Equal Employment Committee consists of:

- Deputy Secretary for Policy, Chair.
- The Assistant Secretary or Regional Administrator from whose organization the original complaint or appeal of reasonable accommodation was filed.
- Director, Office of Equal Opportunity.
- Personnel Manager.

### ***Essential Job Functions***

The essential functions of a job are those that the individual who holds the position must be able to perform in order for the employer's business to function. These functions can be accomplished unaided or with the assistance of a reasonable accommodation. These elements are generally true of an essential function:

The position exists to perform that function.

There are no other employees available to perform that function.

A function is highly specialized, and the person in the position is hired for special expertise or ability to perform it.

It is performed on a regular basis.

Removing the function fundamentally alters the position.

### ***Exempt Position***

Any position designated as exempt from the Civil Service Law (RCW 41.06).

### ***Harassment***

A course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.

### ***Job Categories***

The eight categories designated by the OFCCP for affirmative action reporting to federal agencies: Officials and administrators, professionals, technicians, protective service workers, office and clerical, paraprofessionals, skilled craft workers, and service and maintenance.

### ***Members of Protected Groups***

See Protected Group Members.

### ***Persons With Disabilities***

Those persons having physical, mental, or sensory impairments that would impede those individuals in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material, rather than slight, and static and permanent in that they are seldom fully corrected by medical replacement, therapy, or surgical means (see also WAC 356-05-260, Persons of Disability).

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***Persons With Disabilities***

The Washington State Affirmative Action Definition (WAC 162-22-030):

A person is disabled who has a physical, mental or sensory impairment that impedes that individual in obtaining and maintaining permanent employment and promotional opportunities; and has impairments that are material rather than slight, static, and permanent, in that they are seldom fully corrected by medical replacement, therapy, or surgical means.

***Physician***

Any person licensed to perform one or more of the following specialties: Medicine and surgery, or osteopathic.

***Position***

A group of duties and responsibilities normally assigned to an employee. Such position may be filled or vacant, full or part-time, seasonal, temporary, or permanent.

***Protected Group Members***

Protected groups for affirmative action purposes are persons age forty and above, people with disabilities, Vietnam-era veterans, disabled veterans, women, Asians and Pacific Islanders, Blacks, Hispanics, Native Americans and Alaska Natives (see WAC 356-05-327).

***Reasonable Accommodations***

Any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. The department must make reasonable accommodation to the known physical or mental limitations of otherwise qualified applicants or employees with disabilities unless it can show that accommodation would impose an “undue hardship” on the operation of its programs.

***Register***

A list of eligible names established for employment or reemployment in a class.

***Sexual Harassment***

A form of sexual discrimination; unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

***Undue Hardship***

Significant difficulty or expense relative to the operation of the department’s programs. Where a particular accommodation would result in an undue hardship, the department must determine if another accommodation is available that would not result in an undue hardship.

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